

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JOHN P. MILES, LOUISIANA MUNICIPAL POLICE EMPLOYEES' RETIREMENT SYSTEM, CITY OF NEW ORLEANS EMPLOYEES' RETIREMENT SYSTEM, FRANCES O. GOLDMAN, *Derivatively on Behalf of BP PLC*,

Plaintiffs,

v.

ANTHONY B. HAYWARD, IAIN C. CONN, ROBERT W. DUDLEY, BYRON E. GROTE, ANDY G. INGLIS, CARL-HENRIC SVANBERG, PAUL M. ANDERSON, ANTONY BURGMANS, CYNTHIA B. CARROLL, SIR WILLIAM M. CASTELL, GEORGE DAVID, IAN DAVIS, DOUGLAS J. FLINT, DEANNE S. JULIUS, H. LAMAR MCKAY, IAN MG PROSSER, ERROLL B. DAVIS JR.,

Defendants,

and

BP PLC,

Nominal Defendant.

CODY A. NEDVED, *Derivatively on Behalf of BP PLC*,

Plaintiff,

v.

ANTHONY B. HAYWARD, IAIN C. CONN, ROBERT W. DUDLEY, BYRON E. GROTE, ANDY G. INGLIS, CARL-HENRIC SVANBERG, PAUL M. ANDERSON, ANTONY BURGMANS, CYNTHIA B. CARROLL, SIR WILLIAM M. CASTELL, GEORGE DAVID, IAN DAVIS, DOUGLAS J. FLINT, DEANNE S. JULIUS, H. LAMAR MCKAY, TRANSOCEAN LTD., TRANSOCEAN DEEPWATER, INC., TRANSOCEAN OFFSHORE DEEPWATER DRILLING, INC., CAMERON INTERNATIONAL CORPORATION, HALLIBURTON ENERGY SERVICES, INC., TA THROUGH TZ INSURANCE COMPANIES AS INSURERS OF TRANSOCEAN, CA THROUGH CZ INSURANCE COMPANIES AS INSURERS OF CAMERON INTERNATIONAL, HA THROUGH HZ INSURANCE

Case No. 4:10-cv-03447

The Hon. Keith Ellison

Case No. 4:10-cv-03451

The Hon. Keith Ellison

<p>COMPANIES AS INSURERS OF HALLIBURTON, Defendants, and BP PLC, Nominal Defendant.</p>	
<p>VICTOR SKOMEDAL, <i>Derivatively on Behalf of BP PLC</i>, Plaintiff, v. ANTHONY B. HAYWARD, IAIN C. CONN, ROBERT W. DUDLEY, BYRON E. GROTE, ANDY G. INGLIS, CARL-HENRIC SVANBERG, PAUL M. ANDERSON, ANTONY BURGMANS, CYNTHIA B. CARROLL, SIR WILLIAM M. CASTELL, GEORGE DAVID, IAN DAVIS, DOUGLAS J. FLINT, DEANNE S. JULIUS, H. LAMAR MCKAY TRANSOCEAN LTD., TRANSOCEAN DEEPWATER, INC., TRANSOCEAN OFFSHORE DEEPWATER DRILLING, INC., CAMERON INTERNATIONAL CORPORATION, HALLIBURTON ENERGY SERVICES, INC., TA THROUGH TZ INSURANCE COMPANIES AS INSURERS OF TRANSOCEAN, CA THROUGH CZ INSURANCE COMPANIES AS INSURERS OF CAMERON INTERNATIONAL, HA THROUGH HZ INSURANCE COMPANIES AS INSURERS OF HALLIBURTON, Defendants, and BP PLC, Nominal Defendant.</p>	<p>Case No. 4:10-cv-03450 The Hon. Keith Ellison</p>

**PROPOSED ORDER CONSOLIDATING ACTIONS
AND APPOINTING CO-LEAD COUNSEL**

On this 12th day of October, 2010 the Court considered the Joint Motion for Consolidation and Appointment of Co-Lead Counsel filed by BP Derivative Plaintiffs Louisiana Municipal Police Employees' Retirement System ("LAMPERS"), John P. Miles ("Miles"),

Frances O. Goldman (“Goldman”), the City of New Orleans Employees’ Retirement System (“NOERS”), Victor Skomedal (“Skomedal”), and Cody A. Nedved (“Nedved”) (collectively, the “BP Derivative Plaintiffs”). Having considered the Motion and the agreement of counsel, the Motion is hereby granted.

IT IS THEREFORE ORDERED THAT:

1. The following actions are consolidated for all purposes pursuant to Federal Rule of Civil Procedure 42(a):

John P. Miles, Louisiana Municipal Police Employees’ Retirement System, The City of New Orleans Employees’ Retirement System, and Frances O. Goldman, Derivatively on Behalf of BP PLC v. Anthony B. Hayward, et al., No. 4:10-cv-03447, in the United States District Court for the Southern District of Texas, Houston Division.

Cody A. Nedved, Derivatively on Behalf of BP PLC v. Anthony B. Hayward, et al., No. 4:10-cv-03451, in the United States District Court for the Southern District of Texas, Houston Division.

Victor Skomedal, Derivatively on Behalf of BP PLC v. Anthony B. Hayward, et al., No. 4:10-cv-03450, in the United States District Court for the Southern District of Texas, Houston Division.

2. The consolidated action shall be captioned “In re BP Shareholder Derivative Litigation” and the file shall be maintained under the Master File No. 4:10-cv-03447. The consolidated action shall hereinafter be referred to in this Order as the “BP Derivative Action.”

3. Bernstein Litowitz Berger & Grossmann LLP and Kahn Swick & Foti, LLC are appointed Co-Lead Derivative Counsel for the BP Derivative Action (“Co-Lead Counsel”).

4. Wolf Haldenstein Alder Freeman & Herz LLP is appointed Chair of the Executive Committee for the BP Derivative Action.

5. Ryan & Maniskas, LLP and Cafferty Faucher LLP are appointed Members of the Executive Committee for the BP Derivative Action.

6. Ajamie LLP is appointed Liaison Counsel for the BP Derivative Action.

7. This Order shall apply to each derivative action brought on behalf of BP arising from the Deepwater Horizon disaster that subsequently is filed in or transferred to the United States District Court for the Southern District of Texas. Henceforth, any such action that is filed or transferred shall be consolidated automatically into this action.

8. Co-Lead Counsel shall have authority to speak for plaintiffs in matters regarding pretrial and trial procedure and in settlement negotiations and shall make all work assignments in such a manner as to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort.

9. Co-Lead Counsel shall be responsible for coordination of all activities and appearances on behalf of plaintiffs. No motion, request for discovery, or other pretrial proceeding shall be initiated, served or filed by plaintiffs except through Co-Lead Counsel. Co-Lead Counsel shall also be available and responsible for communications to and from this Court.

10. Counsel for Defendants and Nominal Defendant (collectively, "Defendants") may rely upon all agreements made with Co-Lead Counsel as agreements made with all of the plaintiffs.

11. Defendants need not answer or otherwise respond to any complaint previously filed in the *Miles*, *Nedved* or *Skomedal* Actions. Co-Lead Counsel shall file a consolidated amended complaint no later than thirty days after receipt of the documents currently included in the document repository established by the United States District Court for the Eastern District of Louisiana for litigation involving the Deepwater Horizon disaster. Co-Lead Counsel agree that the BP Derivative Plaintiffs will not seek any additional discovery other than the documents included in this document repository until the Court rules on Defendants' anticipated motion to dismiss. If Defendants add any documents to this document repository prior to the Court's ruling

on Defendants' anticipated motion to dismiss, Defendants agree to provide such documents to the BP Derivative Plaintiffs.

12. Defendants shall answer, move or otherwise respond to the consolidated amended complaint within forty-five days of its filing.

13. Co-Lead Counsel shall file an opposition to any motion to dismiss within forty-five days of its filing.

14. Defendants shall file a reply to any opposition to a motion to dismiss within twenty days of its filing.

SIGNED ON THIS 12th day of October, 2010.



The Honorable Keith Ellison